



Texttron Inc.

March 30, 1994

40 Westminster Street  
Providence, R.I. 02903  
401/421-2800

**VIA OVERNIGHT COURIER**

Executive Director  
Mississippi Department of Environmental Quality  
2380 Highway 80 West  
Jackson, MS 39204

**Re: Financial Responsibility Requirements for Closure  
and Post-closure of Treatment Storage and Disposal Facilities**

Dear Sir or Madam:

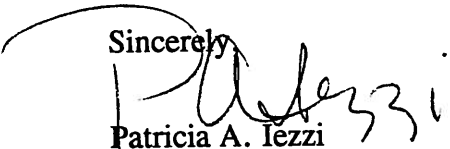
Texttron Inc., a diversified manufacturing, aerospace and financial services company located in Providence, Rhode Island, with a manufacturing facility in Mississippi, is subject to Mississippi regulations applicable to owners and operators of Hazardous Waste Treatment, Storage and Disposal Facilities.

In compliance with MHWMR Part 265, as respects closure and post-closure inflation adjusted cost estimates and updated financial information, respectively, Texttron encloses the following:

1. A letter dated March 25, 1994 from the Chief Financial Officer of Texttron Inc. as specified in the aforementioned;
2. A copy of the 1993 Annual Report of Texttron Inc. containing a report by Ernst & Young on Texttron's financial statements for the fiscal year ended January 1, 1994; and
3. A letter dated March 30, 1994 from Ernst & Young which verifies the financial information contained in the letter referred to in Paragraph 1 above.

Please do not hesitate to call me should you have any questions or concerns with respect to any of the above. My direct line is (401) 457-2215.

Sincerely,

  
Patricia A. Iezzi  
Supervisor, Environmental Programs

PAI/kc DNRLTRS Enclosures

cc: (w/enclosures)  
Mark Williams - Randall  
Ray Sullivan - Ernst & Young



Textron Inc.

March 25, 1994

40 Westminster Street  
Providence, R.I. 02903  
401 / 421-2800

Executive Director  
Mississippi Department of Environmental Quality  
2380 Highway 80 West  
Jackson, MS 39204

**RE: Updated Financial Assurance Requirements Demonstrating  
Financial Responsibility for Liability Coverage and Closure  
and Post-Closure Care**

Dear Sir or Madam:

I am the Chief Financial Officer of Textron Inc., 40 Westminster Street, Providence, Rhode Island 02903. This letter is in support of the use of the financial test to demonstrate financial responsibility for liability coverage and closure and/or post-closure care as specified in Subpart H of MHWMR Parts 264 and 265.

The firm identified above is the owner or operator of the following facilities for which liability coverage for both sudden and non-sudden accidental occurrences is being demonstrated through the financial test specified in Subpart H of MHWMR Parts 264 and 265.

Randall Division of Textron Inc.,  
Grenada Highway #332 East Rt. 2,  
Grenada, MS 38901  
EPA #MSD007037278.

The firm identified above guarantees, through the corporate guarantee specified in Subpart H of MHWMR Parts 264 and 265, liability coverage for both sudden and non-sudden accidental occurrences at the following facilities owned or operated by the following subsidiaries of the firm:  
**None**

1. The firm identified above owns or operates the following facilities which are in the State of Mississippi for which financial assurance for closure and/or post-closure care is demonstrated through the financial test specified in Subpart H of MHWMR Parts 264 and 265. The current closure and/or post-closure cost estimates covered by the test are shown for each facility.

Randall Division of Textron Inc.,  
Grenada Highway #332 East Rt. 2,  
Grenada, MS 38901  
EPA #MSDOO7037278

Closure - \$ 1,200,000.

2. The firm identified above guarantees, through the corporate guarantee specified in Subpart H of MHWMR Parts 264 and 265, the closure and post-closure care of the following facilities which are located in the State of Mississippi owned or operated by its subsidiaries. The current cost estimates for the closure or post-closure care so guaranteed are shown for each facility: None

3. In states where EPA is not administering the financial requirements of Subpart H of MHWMR Parts 264 and 265, this firm is demonstrating financial assurance for the closure or post-closure care of the following facilities through the use of a test equivalent or substantially equivalent to the financial test specified in Subpart H of MHWMR Parts 264 and 265. The current closure and/or post-closure cost estimates covered by such a test or guarantee are shown for each facility: See attached Exhibit A

4. The firm identified above owns or operates the following hazardous waste management facilities for which financial assurance for closure, or if a disposal facility, for post-closure care, is not demonstrated either to EPA or a State through the financial test or any other financial assurance mechanism specified in Subpart H of MHWMR Parts 264 and 265, or equivalent or substantially equivalent State mechanisms. The current closure and/or post-closure cost estimates not covered by such financial assurance are shown for each facility: None

5. This firm is the owner or operator of the following UIC facilities for which financial assurance for plugging and abandonment is required under Part 144. The current closure cost estimates as required by 40 CFR 144.62 are shown for each facility: None

The firm is required to file a Form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The fiscal year of this firm ends on the Saturday nearest to the thirty-first day of December in each year, whether such Saturday falls in December or in January. The figures for the following items marked with an asterisk are derived from this firm's independently audited, year-end financial statements and footnotes for the latest completed fiscal year, ended January 1, 1994.

**ALTERNATIVE II**

- |      |   |                  |
|------|---|------------------|
| 1.   | Sum of current closure and post-closure estimates (total of all cost estimates listed above)  | \$ 17,365,834    |
| 2.   | Amounts of annual aggregate liability coverage to be demonstrated   | \$ 8,000,000     |
| 3.   | Sum of Lines 1 and 2  | \$ 25,365,834    |
| 4.   | Current bond rating of most recent issuance and name of rating service  | A3 - Moody's     |
| 5.   | Date of issuance of bond  | February 5, 1989 |
| 6.   | Date of maturity of bond  | February 5, 1996 |
| *7.  | Tangible net worth (if any portion of the closure or post-closure cost estimates is included in "total liabilities" on your financial statements you may add that portion to this line) | \$1,284,400,000  |
| *8.  | Total assets in the U.S. (required only if less than 90% of assets are located in the U.S.)   | \$16,683,000,000 |
| 9.   | Is Line 7 at least \$10 million?  | Yes              |
| 10.  | Is Line 7 at least 6 times Line 3?  | Yes              |
| *11. | Are at least 90% of assets located in the U.S.? If not, complete line 12  | No               |
| 12.  | Is Line 8 at least 6 times Line 3?  | Yes              |

I hereby certify that the wording of this letter is identical to the wording specified in 40 CFR 264.151(g) as such regulations were constituted on the date shown immediately below.

By: \_\_\_\_\_

Name: Richard A. McWhirter

Title: Executive Vice President and Chief Financial Officer

Date: \_\_\_\_\_

**Exhibit A**

	<b><u>Location</u></b>	<b><u>EPA#</u></b>	<b><u>Closure Costs</u></b>	<b><u>Post Closure Costs</u></b>
Bell Aerospace*	2221 Niagara Falls Blvd. Wheatfield, NY 14304	NYD002106276	\$-0-	\$12,979,600
E-Z-Go	Marvin Griffin Road Augusta, GA 30913	GAD003302064	\$132,393.	\$-0-
Homelite	Little Mountain Rd. Gastonia, NC 28052	NCD091249417	\$-0-	\$2,414,675.
Bell Helicopter	600 E. Hurst Blvd. Fort Worth, TX 76053	TXD980626006	\$639,166.	\$-0-

\* Currently known as Textron Defense Systems

REPORT OF INDEPENDENT AUDITORS

The Board of Directors  
Textron Inc.

We have audited, in accordance with generally accepted auditing standards, the consolidated balance sheet of Textron Inc. as of January 1, 1994 and the related consolidated statements of income, cash flows and changes in shareholders' equity for the year then ended and have issued our report thereon dated February 3, 1994.

At your request, we have read the letter dated March 25, 1994 from Richard A. McWhirter, Executive Vice President and Chief Financial Officer of Textron Inc. in support of the use of the financial test, as specified in Subpart H of MHWMR Parts 264 and 265, to demonstrate financial responsibility for liability coverage and closure and/or post-closure care of the Corporation's hazardous waste facilities at the locations listed in the letter.

In connection with Subpart H of MHWMR Parts 264 and 265, we have compared amounts included in the audited consolidated financial statements of Textron Inc. for the year ended January 1, 1994, the latest fiscal year, to the data in the letter indicated as being derived from such audited financial statements. In connection with this comparison, no matters came to our attention that caused us to believe that the data indicated as being derived from the audited financial statements should be adjusted.

This report is intended solely to assist you in complying with the reporting requirements associated with the financial test, as specified in Subpart H of MHWMR Parts 264 and 265, to demonstrate financial responsibility for liability coverage and closure and/or post-closure care and should not be used for any other purpose.

*Ernst + Young*

March 30, 1994



ECKENFELDER INC.®

September 13, 1994

Mr. Jason Darby  
USEPA Region IV  
345 Courtland Street, NE  
Atlanta, GA 30305

RE: Randall Textron Site  
Grenada, Mississippi

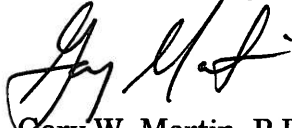
Dear Mr. Darby:

Rockwell International Corporation (Rockwell) submitted the Soil Interim Remedial Action Plan (Plan) to the Mississippi Department of Environmental Quality (MDEQ) on September 1, 1994. Andrew Covington with the MDEQ has requested that Rockwell transmit a copy of the Plan to the USEPA, Region IV. At Rockwell's direction, ECKENFELDER INC. is transmitting the attached Plan to you. In addition to the Plan, a copy of the Rockwell letter which accompanied the Plan submittal to the MDEQ provides a brief explanation of the Plan.

Please call if there are any questions regarding this submittal.

Sincerely,

ECKENFELDER INC.®



Gary W. Martin, P.E., CHMM  
Senior Manager  
Waste Management Division

cc: Philip Backlund  
Jeffrey L. Pintenich, P.E., CHMM

MSD 007 03 7 278

## FAX

To: <u>JASON DARBY</u>	From: <u>ANDREW COVINGTON</u>
	Office of Pollution Control
	P.O. Box 10385
	Jackson, MS
	39289-0385
Phone: _____	Phone: 601/961- <u>5305</u>
Fax: <u>404-347-5205</u>	Fax: 601/961-5741

Date: MARCH 7 1994 ☒ Routine ☐ PriorityNumber of pages, including this one: 6

Message: \_\_\_\_\_



February 25, 1994

DRAFT

CERTIFIED MAIL NO. Z 711 068 683

Mr. Phillip Backlund  
Rockwell International Corp.  
2135 West Maple Road  
Troy, Michigan 48084

Dear Mr. Backlund:

Re: Agreed Order  
Rockwell International, Corp. and  
Randall-Textron Inc.

Enclosed is an agreed order which addresses the interim remediation of the landfill at the above referenced facility. Please review this document and, if the wording and conditions contained within it are agreeable to Rockwell International, Corp. and Randall-Textron, Inc., have it signed and dated by the responsible company official and returned to my attention at the above address by March 16, 1994. If the wording and conditions are not agreeable to Rockwell International, Corp., and Randall-Textron, Inc., please contact Andrew Covington at your earliest convenience so that we can discuss any changes that may be necessary.

If you should have any questions or if you should require any additional information, please contact me at 601-961-5171.

Sincerely,

Jerry B. Banks, Acting Chief  
Hazardous Waste Division

JBB:gd  
Enclosure

February 25, 1994

DRAFT

CERTIFIED MAIL NO. Z 711 068 684

Mr. Mark Williams  
Randall-Extron, Inc.  
10179 Commerce Park Drive  
Cincinnati, Ohio 45246

Re: Agreed Order  
Rockwell International, Corp. and  
Randall-Extron Inc.

Enclosed is an agreed order which addresses the interim remediation of the landfill at the above referenced facility. Please review this document and, if the wording and conditions contained within it are agreeable to Rockwell International, Corp. and Randall-Extron, Inc., have it signed and dated by the responsible company official and returned to my attention at the above address by March 16, 1994. If the wording and conditions are not agreeable to Rockwell International, Corp., and Randall-Extron, Inc., please contact Andrew Covington at your earliest convenience so that we can discuss any changes that may be necessary.

If you should have any questions or if you should require any additional information, please contact me at 601-961-5171.

Sincerely,

Jerry B. Banks, Acting Chief  
Hazardous Waste Division

JBB:gd  
Enclosure

16019613741 P.04  
**DRAFT**

**BEFORE THE MISSISSIPPI COMMISSION  
ON ENVIRONMENTAL QUALITY**

**MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY**

**COMPLAINANT**

**VS.**

**ORDER NO. \_\_\_\_\_**

**ROCKWELL INTERNATIONAL, CORP. AND  
RANDALL-TEXTRON, INC.**

**RESPONDENT**

**AGREED ORDER**

**COME NOW THE Mississippi Commission on Environmental Quality (Commission), Complainant, and Rockwell International, Corp. and Randall-Extron, Inc., Respondent, in the above captioned cause and agree as follows:**

**1.**

**Respondent has recently completed a Remedial Investigation (RI) for the on-site landfill located at the Randall-Extron plant in Grenada, Mississippi. The RI determined that high concentrations of several organic constituents, particularly TCE, were present in the shallow soils in this area.**

**2.**

**In lieu of a formal enforcement hearing concerning the contamination listed above, Complainant and Respondent agree to settle this matter as follows:**

- A. Interim remedial action for the existing non-regulated landfill using the Corrective Action Management Unit (CAMU) Concept (discussed in the Office of Solid Wastes', Use of Corrective Action Management Unit Concept, August 1992) will be initiated. As part of the CAMU Concept procedure the Respondent will:**

16019615741 P.03  
**DRAFT**

1. Submit an approvable plan for interim remedial action to cleanup the surface soils down to groundwater level by ex-situ soil vapor extraction. The plan shall include cleanup levels, a designation of the landfill (CAMU) area, details on the cleanup procedure, estimated timetable, and determinations on the need for surface water and/or air permits.
2. Modify Part A of the application to include the new treatment before the interim remedial action begins.
  - B. Respondent shall give written monthly updates on the progress of the interim remedial action until its conclusion.
  - C. Respondent must complete interim remedial action by December 1, 1994.

3.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Supp. 1993), and that it has made an informed waiver of that right.

ORDERED, this the \_\_\_\_\_ day of \_\_\_\_\_, 1994.

MISSISSIPPI COMMISSION ON  
ENVIRONMENTAL QUALITY

BY: \_\_\_\_\_  
J. I. PALMER, JR.  
EXECUTIVE DIRECTOR  
MISSISSIPPI DEPARTMENT  
OF ENVIRONMENTAL QUALITY

10019615141 P.06

**DRAFT**

AGREED, this the \_\_\_\_\_ day of \_\_\_\_\_ 1993.

\_\_\_\_\_  
**RESPONDENT**

\_\_\_\_\_  
**RESPONDENT**



STATE OF MISSISSIPPI  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
JAMES I. PALMER, JR.  
EXECUTIVE DIRECTOR

September 26, 1994

Mr. Phil Backlund  
Rockwell International Corporation  
2135 West Maple Road  
Troy, Michigan 48084-7186

Dear Mr. Backlund:

The Office of Pollution Control (OPC) has received and reviewed your September 1, 1994 submittal concerning the interim soil remedial action at the Randall-Textron landfill site in Grenada, Mississippi, and the subsequent letter and map of September 20, 1994 with additional information. This is an acceptable plan and the OPC considers that the requirements of Section 1. of Part A in the July 22, 1994 Agreed Order (Administrative Order No. 2879-94) to have been satisfactorily meet.

If there are any questions or comments, please contact me at (601) 961-5305.

Sincerely,

*Andrew S. Covington*

Andrew S. Covington  
Hazardous Waste Branch

ASC:gd

cc: Mark Williams, Randall-Textron, Inc.  
Jason Darby, EPA





September 1, 1994

Mr. Andrew S. Covington  
Environmental Engineer  
Bureau of Pollution Control  
Mississippi Department of Environmental Quality  
P.O. Box 10385  
Jackson, MS 39289-0385

RE: Interim Soil Remedial Action, Randall Textron Site  
Grenada, Mississippi

Dear Andrew:

As required by the Administrative Order No. 2879-94 (Agreed Order), Rockwell is submitting the attached Soil Interim Remedial Action Plan (Plan) for MDEQ review and approval. The package includes:

- Project Specifications for the Soil Interim Remedial Action
- Remedial Design Plans
- Description of Alternate Treatment Method

As you will recall, Rockwell submitted the Phase I - Final Report on the Soil Interim Remedial Action to the MDEQ in October 1993 which was subsequently reviewed and approved by the MDEQ with minor comments. Rockwell then proceeded with Phase II which involved the preparation of plans and specifications (the first two bulleted items above) and solicitation of bids. Bids from remedial contractors have been received and evaluated by Rockwell. Through bid evaluation it has been determined that a slightly different approach than that presented in the bid package to the contractors is more cost-effective. The alternate approach to treatment is presented in the attached *Description of Alternate Treatment Method* (third bulleted item above).

Rockwell stands ready to award the contract and proceed immediately with remedial construction. We would, therefore, like to receive MDEQ review and approval of the attached Plan as soon as possible. We would be glad to meet with you and other MDEQ personnel to expedite the review process if that is necessary.

Please feel free to call us, if there are questions concerning this submittal.

Very truly yours,

ROCKWELL INTERNATIONAL CORPORATION  
AUTOMOTIVE

A handwritten signature in dark ink, appearing to read 'P. Backlund'.

Phil Backlund  
Director, Facilities Administration

PB/js

ATTACHMENT:

## **DESCRIPTION OF ALTERNATE TREATMENT METHOD FOR THE SOIL INTERIM REMEDIAL ACTION**

### **INTRODUCTION**

Previously, Rockwell International submitted a Phase I - Final Report on Soil Interim Remedial Action (Phase I Report) for the On-Site Landfill at the Randall Textron Site located in Grenada, Mississippi. The Phase I Report presented the derivation of interim cleanup levels, the conduct of a focused treatability study, and the engineering concept evaluation. The Phase I Report was reviewed by the Mississippi Department of Environmental Quality (MDEQ) and was accepted by the MDEQ in November 1993 provided that the issues identified in the November 22, 1993 MDEQ correspondence were addressed. The issues identified were subsequently addressed during Phase II, preparation of plans and specifications.

Subsequent to MDEQ approval of Phase I, Rockwell proceeded with the development of plans and specifications in coordination with Randall Textron management. In June 1994 the plans and specifications for the soil interim remedial action at the Randall Textron site were completed. A bid package consisting of the plans and specifications and contract documents was then prepared and issued to remedial contractors for bidding. Contractor bids were received on July 8, 1994 and Rockwell, through bid evaluation, has determined that an alternate (but similar) method of contaminated soil treatment represents the most cost-effective approach to the interim soil remedial action.

In the following section, a description of the alternate treatment method is presented based on information presented by the remedial contractor. Implementation plans and the manner in which the soil interim remedial action addresses items identified in the Agreed Order are also discussed below.

### **DESCRIPTION OF ALTERNATE TREATMENT METHOD**

Conceptually, the Phase I Report and Project Plans and Specifications (P&S) release to potential contractors included contaminated soil excavation, blending of



contaminated soil using a pug mill, and treatment in a soil vapor extraction (SVE) cell, although significant treatment was anticipated to occur during the blending phase, potentially alleviating the need for the SVE cell. As such, the P&S included detailed requirements for the performance of the various aspects of the remedial construction. All remedial contractors, whether bidding on the concept presented by the P&S or an alternate approach, were required to include the requirements of the P&S in their bid.

The key difference between the alternate approach and the approach specified by the P&S is that the alternate proposes the in situ mixing of contaminated soil using a large piece of tilling machinery (a soil stabilizer (SS)) whereas the P&S called for ex situ treatment through the use of a pug mill. Ex situ treatment by pug mill requires contaminated soil excavation, removal to the pug mill blending area, blending, stockpiling, and return to the excavation area. The SS unit, on the other hand, treats contaminated soil in situ and, if the treatment goal of 7.8 ppm TCE is attained, neither contaminated nor treated soil will be moved from the immediate area of the original excavation. Generally speaking, in situ treatment of the contaminated soil will occur in place in 12-inch depths. Once treated, a 12-inch soil depth will be moved by bulldozer out of the contaminated area and the next 12 inches will be treated. As with the original concept presented in the P&S, if it is determined that treatment in situ by the SS does not attain the treatment goal of 7.8 ppm TCE, the contaminated material will be stockpiled for later treatment in a SVE cell.

Similarly, as required by the P&S for the original concept, a full-scale test will be conducted using the SS unit to evaluate performance under site conditions. Since this is an in situ concept, an area of approximately 25 feet by 40 feet will be treated in incremental depths of 12 inches in the area previously identified by the P&S as the source of test material (Excavation B). During the test, the remedial contractor will test the effectiveness of the SS unit at various travel and rotor speeds and a variety of admixtures (e.g., sand, gravel, or lime). Full-scale processing will then be implemented based on the results of the full-scale test.

## **IMPLEMENTATION**

Although there are inherent differences in the two processes, many of the aspects of remedial construction are the same for both the original concept and the alternate concept. The same provisions or specifications and regulatory requirements will, therefore, apply and will be satisfied by the alternate method. From an implementation standpoint, one of the more important considerations for the pug mill approach was the anticipated need for a stable area (the softball field) for equipment setup and material staging/handling/stockpiling. A major benefit of the in situ process is that the remedial contractor does not plan on using the softball field since the SS unit will treat the soil in place. Additionally, the remedial contractor plans to construct the SVE cell, if needed, in the immediate vicinity of the contaminated areas and, therefore, does not plan on using the softball field for SVE operation. The conceptual site plan proposed by the remedial contractor for remedial construction activities (not including ancillary support facilities such as field trailer, parking, etc.) would be similar to the configuration shown in Figure 1.

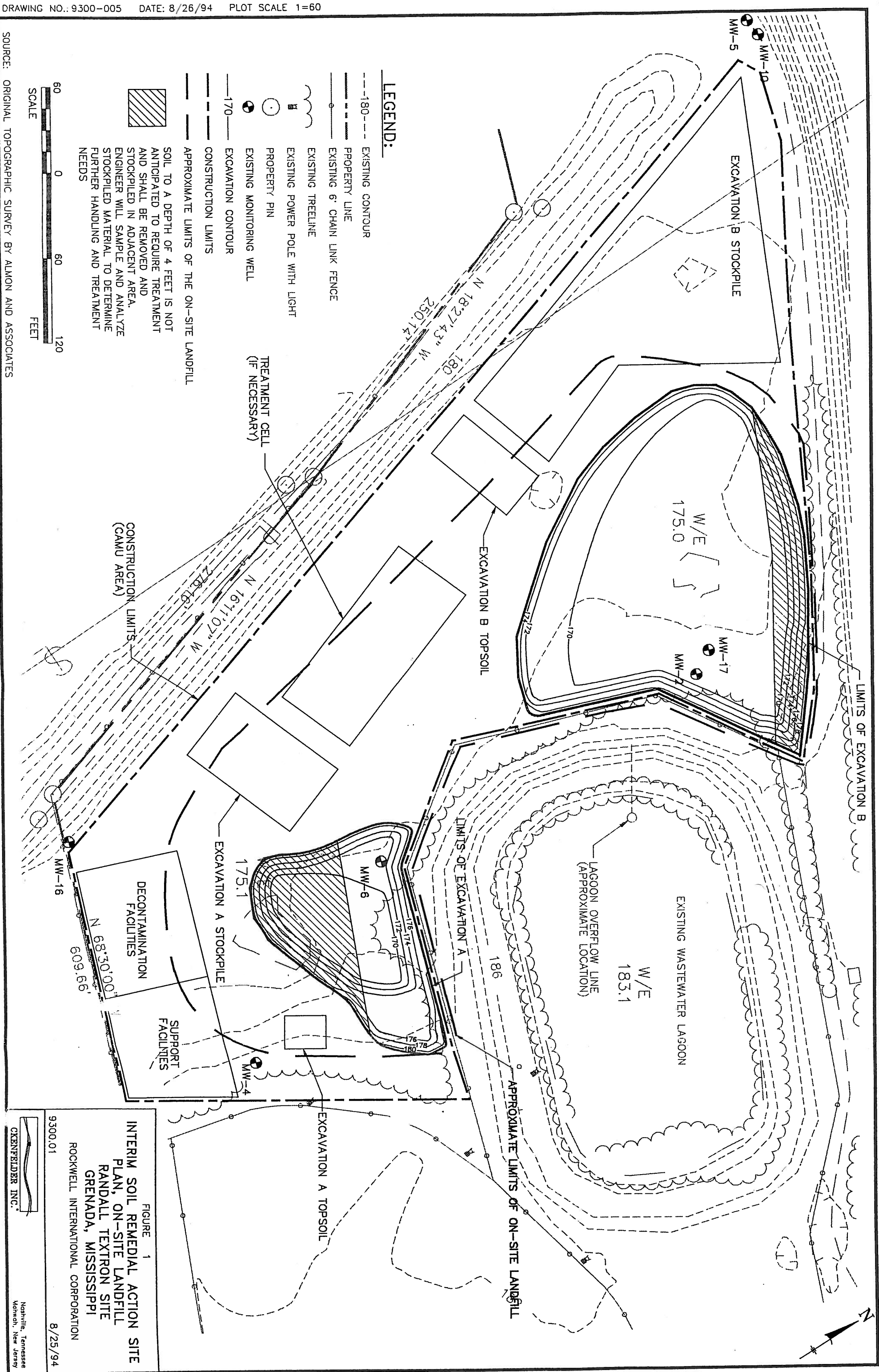
As required by the Agreed Order, the interim action is scheduled for completion no later than March 1, 1995. As the MDEQ is probably aware, Randall Textron management will not allow use of the softball field (if needed) earlier than September 15, 1994. Should the alternate approach described herein be acceptable to the MDEQ, it is anticipated that contract award would occur immediately and the remedial contractor would mobilize soon thereafter. The remedial contractor anticipates that implementation of the alternate approach could be completed by approximately year end 1994. This should allow an adequate factor of safety for project completion by March 1, 1995.

## **COMPLIANCE WITH THE AGREED ORDER**

The Agreed Order required that the interim remedial action plan address certain technical requirements as described below.

- Submit an approvable plan for interim remedial action to cleanup the surface soils down to groundwater level by ex situ soil vapor extraction. The plan shall include cleanup levels, a designation of the landfill (CAMU)

SOURCE: ORIGINAL TOPOGRAPHIC SURVEY BY ALMON AND ASSOCIATES



area, details on the cleanup procedure, estimated timetable, and determinations on the need for surface water and/or air permits.

These requirements (shown below in bold type) have been addressed in the following manner by the Soil Interim Remedial Action Plan submitted to the MDEQ.

- **Approvable Plan.** The Project Specifications, Remedial Design Plans, and Description of Alternative Treatment Method documents constitute the approvable plan.
- **Cleanup Levels.** Section 13100 of the Project Specifications, Soil Processing, sets forth the target concentration limit of 7.8 ppm TCE and states that treated soil meeting that level will be returned to the excavation. Section 13100 states that treated soil not meeting the target concentration limit will receive additional processing or SVE cell treatment.
- **Designation of CAMU Area.** The on site landfill, as discussed in the "Remedial Investigation Report, Randall Textron Plant Site" (ECKENFELDER INC., January 1994), is located west of the existing Randall Textron wastewater treatment plant and sludge lagoon as shown on Figure 2-3 of the RI Report. The general limits of the on site landfill have been superimposed on Figure 1 presented previously in this document. The guidance for a corrective action management unit (CAMU) calls for the designation of a contiguous area for implementing a corrective action. With this in mind, the area encompassed by the boundary identified as the "Construction Limits" on Figure 1 is the proposed CAMU designation. As shown, the CAMU includes the suspected extent of the on site landfill and additional land space required for ancillary remedial construction activities (e.g., stockpiling, SVE cell, etc.) and support (e.g., decontamination, water treatment, etc.).
- **Cleanup Procedure.** The Project Specifications provide the performance requirements which the remedial contractor must adhere to during implementation of the soil interim remedial action.

- **Estimated Timetable.** The remedial contractor to which Rockwell anticipates awarding the contract plans on completing the project by year end 1994, provided the soil stabilizer unit is effective at achieving the treatment goal. The bid package provided to remedial contractors required project completion by March 1, 1995. All contractors, including the contractor providing the alternate treatment method, indicated the project could be completed prior to the specified March date.
- **Surface Water and Air Permitting.** Water generated within the treatment area or as a result of remedial activity (e.g. equipment decontamination) will be collected in aboveground tanks. Depending on the amount collected, this water will be disposed of at an off site facility or treated on site and discharged in conjunction with the Randall Textron facility wastewater treatment plant effluent discharge. In the event that on site treatment and discharge is utilized, it is anticipated that a (minor) modification to the Randall Textron NPDES permit will be required.

During preparation of the plans and specifications, Mr. Don Watts with the MDEQ Air Quality Division was contacted by ECKENFELDER INC. with regard to potential air permitting requirements. Based on the type of operations, the type of air emissions anticipated, and the planned air emission controls described to Mr. Watts, he stated that no formal air permitting would be required. Mr. Watts stated that the MDEQ RCRA Division would likely review the project specifications to make sure an adequate air emission control is planned.

MICHAEL B. WIGMORE  
ATTORNEY-AT-LAW

SWIDLER  
&  
BERLIN  
CHARTERED

DIRECT DIAL  
(202)424-7792

September 20, 1994

**VIA FACSIMILE AND  
FIRST CLASS MAIL**

Mr. Jason Darby  
Waste Management Division  
United States Environmental  
Protection Agency  
Region IV  
345 Courtland Street, N.E.  
Atlanta, GA 30365

Re: Corrective Action Management Unit ("CAMU") Concept

Dear Jason:

The purpose of this letter is to memorialize our recent telephone conversation regarding the authority of a State, subsequent to the promulgation of the CAMU final rule on February 16, 1993, to continue to utilize the CAMU concept in connection with remedial actions undertaken pursuant to State authority.

As we understand EPA's interpretation of the relevant RCRA regulations, as part of a remedial action a State may designate areas of broad contamination, including one or more solid waste management units ("SWMUs"), at a facility as an existing non-regulated "landfill" where this will help achieve the remedial objectives at the facility. This landfill would not be subject to RCRA Part 264 or Part 265 design and operating requirements for hazardous waste landfills, provided the landfill did not receive hazardous waste after November 19, 1980. Moreover, movement, consolidation, and replacement of remediation wastes within the designated landfill area would not be interpreted by EPA as a new placement of solid waste on the land; consequently, such activity would not trigger minimum technological requirements or land disposal restrictions under Section 3004 of RCRA.

The designation of an area at a facility as an existing landfill may be made by an authorized State, even though the State has not received authorization to implement the final CAMU rule promulgated on February 16, 1993. Any such designation, and associated remedial activity, should be consistent with EPA's

SEP 23 10 53 AM '94  
WASTE MANAGEMENT

Mr. Jason Darby  
September 20, 1994  
Page 2

August 1992 guidance document titled "Use of the Corrective Action Management Unit Concept."

Please contact me if you have any comments or if the above discussion does not accurately reflect EPA's current position regarding this issue.

Sincerely,



Michael B. Wigmore

cc: Andrew Covington  
Mississippi Department of Environmental Quality

Philip Backlund  
Rockwell International Corporation

Gary Martin  
Eckenfelder Inc.

# SWIDLER & BERLIN

CHARTERED

3000 K STREET, N.W. SUITE 300  
WASHINGTON, D.C. 20007-5116  
(202) 424-7500  
(202) 424-7643 (telecopier/fax#) - Suite 300  
(202) 424-7645 (telecopier/fax#) - Suite 105  
701131 (telex#)

## FACSIMILE TRANSMITTAL

Today's Date: September 20, 1994

Time: 3:49pm

### TRANSMITTAL TO:

Individual: **Jason Darby**  
Company Name: **Waste Management Div. - USEPA**  
Direct Phone #: **404/347-3433**  
Fax/Telecopier #: **404/347-5205**

Total # of Pages: 3 (including cover page)

### TRANSMITTAL FROM:

Individual: **Michael B. Wigmore**  
Direct Phone #: **202/424-7792**  
Attorney Code: **586**  
Billing Code: **2719.05**

### Message

Please deliver to Mr. Darby as soon as possible.

OPTIONAL FORM 99 (7-90)	
<b>FAX TRANSMITTAL</b>	
To Dep't./Agency <i>Mike Wigmore</i>	From Phone # <i>Jason Darby</i>
Fax # <i>(202) 424-7643</i>	Fax # <i>(404) 347-3555</i>
NSN 7540-01-317-7368	5099-101
GENERAL SERVICES ADMINISTRATION	
# of pages <b>2</b>	

If there is a problem with this transmission, it is important that you notify:

Name: *Armando*

Phone #: *202-424-7797*

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SWIDLER  
&  
BERLIN  
CHARTERED

MICHAEL B. WIGMORE  
ATTORNEY-AT-LAW

DIRECT DIAL  
(202)424-7792

September 20, 1994

VIA FACSIMILE AND  
FIRST CLASS MAIL

Mr. Jason Darby  
Waste Management Division  
United States Environmental  
Protection Agency  
Region IV  
345 Courtland Street, N.E.  
Atlanta, GA 30365

Re: Corrective Action Management Unit ("CAMU") Concept

Dear Jason:

The purpose of this letter is to memorialize our recent telephone conversation regarding the authority of a State, subsequent to the promulgation of the CAMU final rule on February 16, 1993, to continue to utilize the CAMU concept in connection with remedial actions undertaken pursuant to State authority.

As we understand EPA's interpretation of the relevant RCRA regulations, as part of a remedial action a State may designate areas of broad contamination, including one or more solid waste management units ("SWMUs"), at a facility as an existing non-regulated "landfill" where this will help achieve the remedial objectives at the facility. This landfill would not be subject to RCRA Part 264 or Part 265 design and operating requirements for hazardous waste landfills, provided the landfill did not receive hazardous waste after November 19, 1980. Moreover, movement, consolidation, and replacement of remediation wastes within the designated landfill area would not be interpreted by EPA as a new placement of solid waste on the land; consequently, such activity would not trigger minimum technological requirements or land disposal restrictions under Section 3004 of RCRA.

The designation of an area at a facility as an existing landfill may be made by an authorized State, even though the State has not received authorization to implement the final CAMU rule promulgated on February 16, 1993. Any such designation, and associated remedial activity, should be consistent with EPA's

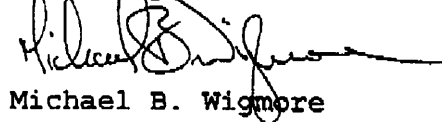
3000 K STREET, N.W. ■ SUITE 300  
WASHINGTON, D.C. 20007-5116  
(202)424-7500 ■ TELEX 701131 ■ FACSIMILE (202)424-7643

Mr. Jason Darby  
September 20, 1994  
Page 2

August 1992 guidance document titled "Use of the Corrective Action Management Unit Concept."

Please contact me if you have any comments or if the above discussion does not accurately reflect EPA's current position regarding this issue.

Sincerely,



Michael B. Wigmore

cc: Andrew Covington  
Mississippi Department of Environmental Quality  
  
Philip Backlund  
Rockwell International Corporation  
  
Gary Martin  
Eckenfelder Inc.



STATE OF MISSISSIPPI  
DEPARTMENT OF ENVIRONMENTAL QUALITY

JAMES I. PALMER, JR.  
EXECUTIVE DIRECTOR

September 26, 1994

Mr. Mark Williams  
Randall-Texttron, Inc.  
10179 Commerce Park Drive  
Cincinnati, Ohio 45246

Dear Mr. Williams:

I have received and reviewed a request from Dale Evans of SECOR dated September 21, 1994, to extend the deadline for the equalization lagoon closure. The request was for a 60 day extension to the October 9, 1994 deadline. This would extend the deadline to December 8, 1994.

The Office of Pollution Control (OPC) considers this request reasonable in light of the extraordinary rainfall experienced at the site which slowed work progress, and therefore grants the 60 day extension.

If there are any questions or comments then please contact me at (601) 961-5305.

Sincerely,

A handwritten signature in cursive script that reads "Andrew S. Covington".

Andrew S. Covington  
Hazardous Waste Branch

ASC:gd

cc: Dale W. Evans, P.E., SECOR  
Jason Darby, EPA

**SWIDLER  
&  
BERLIN**

CHARTERED

3000 K STREET, N.W. SUITE 300  
WASHINGTON, D.C. 20007-5116  
(202) 424-7500  
(202) 424-7643 (telecopier/fax#) - Suite 300  
(202) 424-7645 (telecopier/fax#) - Suite 105  
701131 (telex#)

**FACSIMILE TRANSMITTAL**

Today's Date: April 22, 1994

Time: 5:00pm

**TRANSMITTAL TO:**

Individual: Jason Darby  
Company Name: U.S. EPA, Region IV  
Direct Phone #:  
Fax/Telecopier #: (404) 347-5205

Total # of Pages: 3 (including cover page)

**TRANSMITTAL FROM:**

Individual: Mike Wigmore  
Direct Phone #: 202-424-7792  
Attorney Code: 586  
Billing Code: 2719.05

**Message**

Per our conversation, please find attached a draft letter concerning use of the CAMU concept in authorized States for your review and comment.

If there is a problem with this transmission, it is important that you notify:

Name: Wanda Robinson

Phone #: 202-424-7608

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**DRAFT**

April 22, 1994

**VIA FACSIMILE AND  
FIRST CLASS MAIL**

Jason Darby  
Waste Management Division  
United States Environmental  
Protection Agency  
Region IV  
345 Courtland Street, N.E.  
Atlanta, GA 30365

Re: Corrective Action Management Unit ("CAMU") Concept

Dear Jason:

The purpose of this letter is to memorialize our recent telephone conversation regarding the authority of a State, subsequent to the promulgation of the CAMU final rule on February 16, 1993, to continue to utilize the CAMU concept in connection with remedial actions undertaken pursuant to State authority.

As we understand EPA's interpretation of the relevant RCRA regulations, as part of a remedial action a State may designate one or more solid waste management units ("SWMUs"), at a facility as a "landfill" where this will help achieve the remedial objectives at the facility. This landfill would not be subject to RCRA Part 264 or Part 265 design and operating requirements for hazardous waste landfills, provided the landfill did not receive hazardous waste after November 19, 1980. Moreover, movement, consolidation, and replacement of remediation wastes within the designated landfill area would not be interpreted by EPA as a new placement of solid waste on the land; consequently, such activity would not trigger minimum technological requirements or land disposal restrictions under Section 3004 of RCRA.

The designation of an area at a facility as an existing landfill may be made by an authorized State, even though the State has not received authorization to implement the final CAMU

DRAFT 4/22/94 4:59pm

**DRAFT**

rule promulgated on February 16, 1993. Any such designation, and associated remedial activity, should be consistent with EPA's August 1992 guidance document titled "Use of the Corrective Action Management Unit Concept."

Please contact me if you have any comments or if the above discussion does not accurately reflect EPA's current position regarding this issue.

Sincerely,

Michael B. Wigmore

cc: Andrew Covington  
Mississippi Department of Environmental Quality

2023290.1

**DRAFT 4/22/94 4:59pm**

TOTAL P.03